

# DAILY DIGEST

Vol. 16, No. 95

May 16,1997

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## NEWS RELEASES

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COMMISSION APPROVES ORDER AFFIRMING CABLE SERVICES BUREAU ACTION ON MFS OPEN VIDEO SYSTEM APPLICATION (REPORT NO. CS 97-18, CABLE SERVICES ACTION). The Commission approved an order (FCC 97-169) denying a Petition for Reconsideration of the Cable Services Bureau order regarding Metropolitan Fiber Systems of New York, Inc. d/b/a MFS Telecom of New York and Metropolitan Fiber Systems/McCourt, Inc. Action by the Commission May 15, 1996, by Order (FCC 97-169). News Media Contact: Morgan Broman (202) 418-2358. CSB Contact: Deborah Klein at (202) 418-7200. Internet URL: [https://www.fcc.gov/Bureaus/Cable/News\\_Releases/1997/nrcb7009.txt](https://www.fcc.gov/Bureaus/Cable/News_Releases/1997/nrcb7009.txt)

FCC FILINGS. OPA. Internet URL: <https://www.fcc.gov/filings.html>

FCC CALENDAR OF EVENTS. OPA. Internet URL: <https://www.fcc.gov/calendar.html>

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## PUBLIC NOTICES

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Released: May 16, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - NON-DOMINANT CARRIERS - MAY 15. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/Non-Dominant/nd051597.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Non-Dominant/nd051597.pdf)

Report No: 1131. Released: May 16, 1997. CABLE TELEVISION SERVICE REGISTRATIONS; SPECIAL RELIEF AND OTHER FILINGS.

Report No: SPB-82. Released: May 16, 1997. SATELLITE POLICY BRANCH INFORMATION: APPLICATIONS ACCEPTED FOR FILING. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7106.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7106.txt)

Released: May 16, 1997. EXPLANATION OF FILING PROCEDURES FOR OPERATING AND ACCOUNTING RATE AGREEMENTS BETWEEN U.S. AND FOREIGN CARRIERS. (DA No. 97-1075). Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/da971075.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/da971075.txt)

Report No: TEL-83-A. Released: May 16, 1997. STREAMLINED INTERNATIONAL SECTION 214 APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18). Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7094.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7094.txt)

Report No: TEL-83-B. Released: May 16, 1997. NON-STREAMLINED INTERNATIONAL SECTION 214 AND CABLE LANDING LICENSE APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18 AND 1.767). Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7095.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7095.txt)

Report No: 43994. Released: May 16, 1997. BROADCAST ACTIONS. Internet URL:  
[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac970516.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac970516.txt)

Report No: 23994. Released: May 16, 1997. BROADCAST APPLICATIONS. Internet URL:  
[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap970516.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970516.txt)

Report No: 306. Released: May 16, 1997. MASS MEDIA BUREAU CALL SIGN ACTIONS. Internet URL:  
[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Call\\_Sign\\_Changes/pnmm7084.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Call_Sign_Changes/pnmm7084.txt)

Report No: D-927. Released: May 16, 1997. MASS MEDIA BUREAU PREPARED TO ISSUE MULTIPOINT DISTRIBUTION SERVICE BTA AUTHORIZATIONS. Contact: Charles Dziedzic at (202) 418-1600, Sharon Bertelsen at (202) 418-7057 or Nazifa Naim at (202) 418-7059.

Released: May 16, 1997. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN NON-RESTRICTED PROCEEDINGS. Internet URL:  
[https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/ex970516.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/ex970516.html)

Report No: 2198. Released: May 16, 1997. OFFICE OF PUBLIC AFFAIRS REFERENCE OPERATIONS DIVISION PETITIONS FOR RULEMAKING FILED.

Report No: LB-97-34. Released: May 16, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS SERVICE INFORMATION.

Report No: CL-97-57. Released: May 16, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL RADIO SERVICE INFORMATION. Internet URL:  
[https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/pnw17123.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17123.txt)

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## TEXTS

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LMDS AND FIXED SATELLITE SERVICES. Ordered Chief, OET, to select a panel of experts to review the specific technologies set forth in the Pioneer's Preference request that was filed by the Suite 12 Group on September 23, 1991, as amended on November 19, 1991, and that was accepted and placed on Public Notice on December 16, 1991; amended LMDS competitive bidding rule as set forth Part 101 of the Commission's Rules. Dkt No.: CC- 92-297. Action by the Commission. Adopted: May 8, 1997. by Order on Recon. (FCC No. 97-166). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1997/fcc97166.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97166.txt)

WEHCO VIDEO, INC. Dismissed complaints regarding the cable programming services tier rates that Wehco Video, Inc. was charging in Brinkley, Camden, Hope, Prescott, Hot Springs, Wyne, Pine Bluff, Marianna, Forrest City, Morrilton, Dardanelle, Augusta, Searcy, Judsonia, and Kensett, Arkansas; Vicksburg City and Warren County, Mississippi; Longview and Kilgore, Texas; and Tahlequah, Oklahoma. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: May 14, 1997. by Order. (DA No. 97-1025). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971025.txt>

METROPOLITAN FIBER SYSTEMS/NEW YORK, INC. D/B/A MFS TELECOM OF NEW YORK AND METROPOLITAN FIBER SYSTEMS/MCCOURT, INC. Denied Metropolitan Fiber Systems/New York, Inc. d/b/a MFS Telecom of New York's and Metropolitan Fiber Systems/McCourt, Inc.'s ("MFS") petition for reconsideration of the Cable Services Bureau's order denying MFS' Election of Open Video System Option and Motion for Extension of Time to Complete Open Video System Transition. Action by the Commission. Adopted: May 15, 1997. by Order. (FCC No. 97-169). CSB Internet URL:  
<https://www.fcc.gov/Bureaus/Cable/Orders/1997/fcc97169.txt>

TWIN FALLS, ID. Proposed amending FM Table to allot Channel 294A to Twin Falls, Idaho, as an additional local FM service at that community. Comments due July 7; replies July 22. Dkt No.: MM- 97-131. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by NPRM. (DA No. 97-990). MMB

BELGRADE, MT. Effective June 30, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 256A at Belgrade, Montana, as that community's second FM broadcast service; filing window June 30-July 31; terminated proceeding. Dkt No.: MM- 97-85. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by R&O. (DA No. 97-986). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da970986.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970986.txt)

COLSTRIP, MT. Effective June 30, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 229A to Colstrip, Montana, as that community's first local service; filing window June 30-July 31; terminated proceeding. Dkt No.: MM- 97-74. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by R&O. (DA No. 97-987). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da970987.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970987.txt)

HARRIETTA, MI. Effective June 30, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 229A to Harrietta, Michigan; filing window June 30-July 31, terminated proceeding. Dkt No.: MM- 96-239. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by R&O. (DA No. 97-985). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da970985.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970985.txt)

STRASBURG, CO. Effective June 30, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 249C3 to Strasburg, Colorado, and reserve it for noncommercial educational use; terminated proceeding. Dkt No.: MM- 96-175. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by R&O. (DA No. 97-988). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da970988.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970988.txt)

TWIN FALLS, ID. Effective June 30, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 252C1 to Twin Falls, Idaho, as that community's third local FM service; filing window June 30-July 31; terminated proceeding. Dkt No.: MM- 97-28. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by R&O. (DA No. 97-989). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da970989.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970989.txt)

MESQUITE, NV. Proposed amending FM Table to allot Channel 244C to Mesquite, Nevada, as the community's second local FM service. Comments due July 7; replies July 22. Dkt No.: MM- 97-132. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by NPRM. (DA No. 97-992). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1997/da970992.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970992.txt)

LAKE CITY, MN. Proposed amending FM Table to allot Channel 235A to Lake City, Minnesota, as that community's second FM broadcast service. Comments due July 7; replies July 22. Dkt No.: MM- 97-133. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by NPRM. (DA No. 97-991). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1997/da970991.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970991.txt)

CLARENDON FOUNDATION/LAMAR COMMUNITY COLLEGE. Denied Clarendon Foundation's application seeking a construction permit and license in the Instructional Television Fixed Service (ITFS) on Channels A1-A4 in Lamar, Colorado; granted, subject to condition, Lamar Community College's application for seeking a construction permit and license in the ITFS on Channels A1-A4 in Wiley, Colorado. Action by Chief, Video Services Division, Mass Media Bureau. Adopted: May 16, 1997. by MO&O. (DA No. 97-1028). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da971028.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971028.txt)

RUIDOSO AND CLOUDCROFT, NM. Effective June 30, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 244C to Cloudcroft, New Mexico and Channel 268A to

Ruidoso, New Mexico; filing window June 30-July 31; terminated proceeding. Dkt No.: MM- 96-54. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by R&O. (DA No. 97-984). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da970984.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970984.txt)

GALESBURG, IL AND OTTUMWA, IO. Proposed amending FM Table to: substitute Channel 224B1 for Channel 224A at Galesburg, Illinois, and modify Station WGBQ(FM)'s license accordingly; to modify allotment reference coordinates for vacant Channel 224C3 at Ottumwa, Iowa. Comments due July 7; replies July 22. Dkt No.: MM- 97-130. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 7, 1997. by NPRM. (DA No. 97-961). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1997/da970961.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970961.txt)

THE INFORMATION RESOURCE FOUNDATION/WILEY CONSOLIDATED SCHOOLS. Denied The Information Resource Foundation's application seeking a construction permit and license in the Instructional Television Fixed Service (ITFS) on Channels G1-G4 in Lamar, Colorado; granted, subject to condition, Wiley Consolidated Schools' application for a construction permit and license in the ITFS on Channels G1-G4 in Wiley, Colorado. Action by Chief, Video Services Division, Mass Media Bureau. Adopted: May 16, 1997. by MO&O. (DA No. 97-1027). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da971027.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971027.txt)

**ADDENDA: The following items, released May 15, 1997, did not appear in Digest No. 94:**

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### PUBLIC NOTICES

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Released: May 15, 1997. CABLE SERVICES ACTION - COMMISSION ANNOUNCES CHANGE OF DATE FOR EN BANC HEARING ON INDUSTRY PROPOSAL FOR RATING VIDEO PROGRAMMING AND ON "V-CHIP" TECHNOLOGY. En Banc Hearing changed from June 4 to June 20. Hearing will begin at 9:30 a.m. in the Commission Meeting Room, Room 856, 1919 M Street, NW, Washington, DC 20554. In addition, deadline for surreply comments in CS Docket No. 97-55 extended from June 16 to July 7. (DA No. 97-1030). Contact: TV Ratings Contact: Meryl S. Iove or Rick Chessen at (202) 418-7096; V-Chip Technology Contact: Rick Engelman at (202) 418-2157. News Media Contact: Morgan Broman (202) 418-2358. Internet URL: [https://www.fcc.gov/Bureaus/Cable/Public\\_Notices/1997/da971030.txt](https://www.fcc.gov/Bureaus/Cable/Public_Notices/1997/da971030.txt)

Report No: 23993A. Released: May 15, 1997. INSTRUCTIONAL TELEVISION FIXED SERVICE: PROPOSED CONSTRUCTION PERMITS AND LICENSES. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/ITFS\\_Notices/pnmm7083.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/ITFS_Notices/pnmm7083.txt)